



POLICY:

REGULATION: EEAE STUDENT TRANSPORTATION IN PRIVATE VEHICLES

EXHIBIT:

SUDENT TRANSPORTATION IN PRIVATE VEHICLES

A school principal may authorize the use of a private vehicle for transporting students to an extra-curricular activity when the number of students is such that it is not feasible to utilize a school bus (20 or fewer students) the owner of the vehicle may be reimbursed for the distances traveled at the school division rate. The principal shall be responsible for determining the fee for each trip.

The school division has public liability insurance covering these situations.

N.B. This policy provides public liability coverage only. Any damages to the vehicle become the responsibility of the owner of the vehicle. The school division does not reimburse vehicle owners for any material damages or deductibles.

The board endorses the concept that school buses should be the primary mode of transportation for school-related activities.

Documentation required for this type of transportation can be found in the Beyond the Classroom document.

APPROVED:

REVISED:

SOURCE:

OTHER REFERENCE: Beyond the Classroom document



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REGULATION: EEAE STUDENT TRANSPORTATION IN
PRIVATE VEHICLES

EXHIBIT:

AUTOMOBILE LIABILITY INSURANCE FOR TRANSPORTATION OF STUDENTS
ON EXTRA CURRICULAR ACTIVITIES

Within the last week, we have received three calls from secretary-treasurers of school divisions asking for information as to the scope of liability insurance coverage provided under the Manitoba Schools insurance program, in respect of transportation of students in private passenger vehicles.

The purpose of this circular letter is to provide an explanation of that coverage. There are two separate areas of coverage as follows:

1. Coverage for the School Division or District itself. The MSIP'S \$30,000,000. general liability insurance coverage includes an extension under which there is provided protection from a claim arising out of the use or operation of a vehicle on behalf of the school board, where such vehicle is not owned by or leased to the school board. One example is a private passenger vehicle being used for transportation of students on extra curricular activities, by a teacher or other employee, by a parent volunteer, or by a student. If a serious accident happens during such transportation, the primary responsibility for any ensuing claim would undoubtedly rest with the owner/driver of the car and with the (AUTOPAC) insurance coverage on such car. But undoubtedly the school board would also be named in such a lawsuit and if so, this non-owned automobile liability extension provides \$30,000,000. Protection to the board.
2. Coverage for the driver/owner of the private passenger vehicle being used to transport students. The MSIP includes a separate policy, called "Special Non-Owned Automobile Liability," Under which there is protection for such driver/owner while transporting students of a school board. The primary insurance coverage in respect of an accident happening while so transporting students, Would be the Autopac insurance in the vehicle. This "Special Non-Owned Automobile Liability" Coverage provides additional liability insurance over and above the Autopac coverage on such vehicle, Up to a combined limit of protection of \$30,000,000. While so transporting students. The following Additional information may be of interest to you in respect of this coverage. Please also see the Attached "alteration endorsement" from the policy itself which defines the scope of coverage.

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SOURCE: HED Mast Insurance

OTHER REFERENCE:



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- a) This “SNOA” coverage does not apply to any vehicle used regularly as a school bus.
- b) Coverage does not apply to any vehicle owned by a School Division or District.
- c) Coverage is broadest in scope for teachers and other employees of the Division/District, Regardless of whether such transportation is for the purpose of an extra curricular activity Or not. Scope of coverage is somewhat more restricted in respect of parent volunteers doing Such transporting of students, in that it is restricted to applying only while such transportation Is done “on behalf” of the named insured(the School Division/District) or in connection with a School activity or extra curricular activity.” Coverage is most restrictive in respect of students Transporting other students, in that such transportation must be “ in connection with a school Related activity which is sponsored or authorized by a school within the Division/District”. We suggest that if your intent is to permit transportation of students by other students, that there Be a record of the authorization of such trips, by means of a memo from the principal to the Secretary-treasurer or Superintendent.
- d) This coverage applies whether or not any payment is made by the Division/District for Such transportation.
- e) You may consider requiring that you obtain a copy of the person’s driver’s license and/or Vehicle registration in order to permit such transportation, although you do not need to do Do in order for this coverage to be in effect.
- f) The Autopac use classification on the vehicle registration (pleasure, all purpose, Business, or farm) is not relevant to whether this coverage applies. Such use classification Should of course be correct in defining the “primary use” of the vehicle. Incidental use of A vehicle for such transportation of students on extra curricular activities does not require There to be a particular(for example all purpose as opposed to pleasure)

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EXHIBIT:

ENDORSEMENT

ALTERATION ENDORSEMENT

It is understood and agreed that:

The coverage provided by this policy is extended to include parent groups and parent group employed Supervisors, but only with respect to transportation of students of the named insured in respect of supervision of such students outside regular class hours.

It is understood and agreed that:

The coverage provided by this policy applies only to vehicles not owned by the named insured(s) and which are used to transport students enrolled in schools controlled by the named insured(s) (or otherwise used on business of or on behalf of the named insured(s), provided always that such vehicle must be driven by employee, volunteers, or students of the named insured(s).

It is understood and agreed that coverage applies only as follows:

1. For students of the named insured: While transporting other students of the named insured or otherwise used on business of or on behalf of the named insured in connection with a school related activity which is sponsored or authorized by a school within a school division/district named herein.
2. For volunteers of the named insured: While transporting students on behalf of the named insured or in Connection with a school activity or extra-curricular activity, or while otherwise used on business of or behalf of the named insured.
3. For employees of the named insured: While transporting students of the named insured or while otherwise used on business of or on behalf of the named insured.
4. For employees of the named insured: While transporting students of the named insured or while otherwise used on business of or on behalf of the named insured.
5. For employees of the named insured: While transporting students of the named insured or while otherwise used on business of or on behalf of the named insured.

It is understood and agreed that: There is no coverage under this policy if the transporting conveyance is:

- a) a vehicle used regularly as a school bus, or
- b) a vehicle owned by any school division or school district or school area.

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EXHIBIT:

The Board defines any vehicle used to transport students, other than a division-owned or chartered bus, as a private vehicle or “non-owned vehicle”.

All thought school buses are utilized to transport students on school-sponsored activities such as field trips, outdoor education projects or sports activities, occasionally employee’s vehicles are used to transport students to and from such events.

In recognition of the above, the board authorizes the use of private vehicles for the transportation of students on school-sponsored activities subject to the following:

1. The board shall carry “non-owned vehicle” liability insurance as a provision of its general liability insurance coverage.
2. Any owner of a private vehicle used for transportation of students shall have basic Autopac insurance coverage.
3. Employees operating a private vehicle for transporting school students shall operate the vehicle in accordance with the highway traffic act.
4. Employees operating private vehicles may transport students only with express knowledge and permission of the director of education or his designate.
5. Exhibit EEAE-E shall be completed at least annually by parents, students and employees who transport students in “non-owned vehicles”.
6. Parents of students travelling in private vehicles shall be aware of and approve such transportation arrangements (preferably in writing).

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REVISED:

SOURCE: HED Mast Insurance

OTHER REFERENCE: